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PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

Application Number 10/057,197

Filing Date October 26, 2001

First Named Inventor Martin J. WENSLEY

Group Art Unit 3761

Examiner Name D. Erez

Attorney Docket No. 509032001500

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(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

81 + 357  
references

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement - 4 pages

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify  
below):

1. Form PTO-1449 + 4 copies - 65 pages
2. Three hundred twenty-seven (327)  
references and thirty (30) copies of  
patent applications plus 11 cover  
sheets
3. Return postcard

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

Richard R. Eckman (Registration No. 42,504)

Signature

Date

December 13, 2002

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered with the United States Patent and Trademark Office in Washington, D.C.

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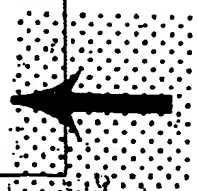
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PATENT  
Docket No. 509032001500

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Martin J. WENSLEY et al.

Serial No.: 10/057,197

Filing Date: October 26, 2001

For: AEROSOL GENERATING METHOD  
AND DEVICE

Examiner: D. Erez

Group Art Unit: 3761

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

Applicants bring to the attention of the Examiner the following patent applications  
(copies attached).

	Filing Date	Serial No.	Inventor
1.	10/26/2001	10/057,197	Wensley et al.
2.	10/26/2001	10/057,198	Lloyd et al.
3.	10/25/2002	10/280,315	Shen
4.	05/13/2002	10/146,086	Quintana et al.
5.	05/13/2002	10/146,515	Quintana et al.
6.	05/13/2002	10/146,080	Hodges et al.
7.	05/13/2002	10/146,088	Hale et al.
8.	05/13/2002	10/146,516	Rabinowitz et al.
9.	05/17/2002	10/150,591	Rabinowitz et al.
10.	05/20/2002	10/152,652	Rabinowitz et al.
11.	05/15/2002	10/150,268	Rabinowitz et al.
12.	05/15/2002	10/150,267	Rabinowitz et al.
13.	05/21/2002	10/153,839	Rabinowitz et al.
14.	05/23/2002	10/155,097	Rabinowitz et al.
15.	05/16/2002	10/151,596	Rabinowitz et al.
16.	05/21/2002	10/153,831	Rabinowitz et al.
17.	05/20/2002	10/152,639	Rabinowitz et al.
18.	05/16/2002	10/151,626	Rabinowitz et al.
19.	05/22/2002	10/155,703	Rabinowitz et al.
20.	05/15/2002	10/150,056	Rabinowitz et al.
21.	05/21/2002	10/153,313	Rabinowitz et al.
22.	05/22/2002	10/155,373	Rabinowitz et al.
23.	05/22/2002	10/155,621	Hale et al.
24.	05/22/2002	10/155,705	Hale et al.
25.	05/20/2002	10/152,640	Rabinowitz et al.
26.	05/17/2002	10/150,857	Rabinowitz et al.
27.	05/20/2002	10/153,139	Rabinowitz et al.
28.	05/21/2002	10/153,311	Rabinowitz et al.
29.	05/23/2002	10/154,765	Rabinowitz et al.
30.	05/23/2002	10/154,594	Rabinowitz et al.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 509032001500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 13, 2002

Respectfully submitted,

By:



Richard R. Eckman  
Registration No. 42,504

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PTO/SB/08 (2-92)

Sheet 1 of 13

Form PTO-1449

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION***(Use several sheets if necessary)*

Docket Number 509032001500

Application Number 10/057,197

Applicant

Martin J. WENSLEY et al.

Filing Date October 26, 2001

Group Art Unit 3761

**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/04/1941	2,230,753	Klavehn et al.			
	2.	02/04/1941	2,230,754	Klavehn et al.			
	3.	11/01/1966	3,282,729	Richardson et al.			
	4.	01/03/1967	3,296,249	Bell			
	5.	01/17/1967	3,299,185	Oda et al.			
	6.	02/27/1968	3,371,085	Reeder et al.			
	7.	10/31/1972	3,701,782	Hester			
	8.	08/27/1974	3,831,606	Damani			
	9.	02/04/1975	3,864,326	Babington			
	10.	07/08/1975	3,894,040	Buzby, Jr.			
	11.	09/30/1975	3,909,463	Hartman			
	12.	03/16/1976	3,943,941	Boyd et al.			
	13.	07/27/1976	3,971,377	Damani			
	14.	09/21/1976	3,982,095	Robinson			
	15.	02/22/1977	4,008,723	Borthwick et al.			
	16.	03/21/1978	4,079,742	Rainer et al.			
	17.	08/01/1978	4,104,210	Coran et al.			
	18.	10/24/1978	4,121,583	Chen			
	19.	07/10/1979	4,160,765	Weinstock			
	20.	08/28/1979	4,166,087	Cline, et al.			
	21.	02/26/1980	4,190,654	Gherardi et al.			
	22.	04/15/1980	4,198,200	Fonda et al.			
	23.	05/27/1980	Re. 30,285	Babington			
	24.	08/26/1980	4,219,031	Rainer et al.			
	25.	10/28/1980	4,229,931	Schlueter et al.			
	26.	12/02/1980	4,236,544	Osaka			

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INFORMATION DISCLOSURE CITATION  
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(Use several sheets if necessary)

Docket Number 509032001500

Application Number 10/057,197

Applicant

Martin J. WENSLEY et al.

Filing Date October 26, 2001

Group Art Unit 3761

27.	02/17/1981	4,251,525	Weinstock			
28.	07/28/1981	4,280,629	Slaughter			
29.	08/18/1981	4,284,089	Ray			
30.	09/01/1981	4,286,604	Ehretsmann et al.			
31.	12/01/1981	4,303,083	Burruss, Jr.			
32.	07/20/1982	4,340,072	Bolt et al.			
33.	09/07/1982	4,347,855	Lanzillotti et al.			
34.	03/15/1983	4,376,767	Sloan			
35.	07/05/1983	4,391,285	Burnett et al.			
36.	12/27/1983	4,423,071	Chignac et al.			
37.	10/02/1984	4,474,191	Steiner			
38.	06/18/1985	4,523,589	Krauser			
39.	01/28/1986	4,566,451	Badewien			
40.	05/13/1986	4,588,425	Usry et al.			
41.	05/27/1986	4,591,615	Aldred et al.			
42.	03/31/1987	4,654,370	Marriott, III et al.			
43.	09/15/1987	4,693,868	Katsuda et al.			
44.	11/24/1987	4,708,151	Shelar			
45.	12/22/1987	4,714,082	Banerjee et al.			
46.	03/29/1988	4,734,560	Bowen			
47.	04/05/1988	4,735,217	Gerth et al.			
48.	06/28/1988	4,753,758	Miller			
49.	07/05/1988	4,755,508	Bock et al.			
50.	07/12/1988	4,756,318	Clearman et al.			
51.	08/23/1988	4,765,347	Sensabaugh, Jr. et al.			
52.	09/20/1988	4,771,795	White et al.			
53.	10/04/1988	4,774,971	Vieten			
54.	12/27/1988	4,793,365	Sensabaugh, Jr. et al.			
55.	12/27/1988	4,793,366	Hill			
56.	01/31/1989	4,800,903	Ray et al.			
57.	01/31/1989	4,801,411	Wellinghoff et al.			

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(Use several sheets if necessary)

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Martin J. WENSLEY et al.

Filing Date October 26, 2001

Group Art Unit 3761

	58.	03/21/1989	4,814,161	Jinks et al.			
	59.	04/11/1989	4,819,665	Roberts et al.			
	60.	07/18/1989	4,848,374	Chard et al.			
	61.	08/01/1989	4,852,561	Sperry			
	62.	08/01/1989	4,853,517	Bowen et al.			
	63.	08/08/1989	4,854,331	Banerjee et al.			
	64.	08/22/1989	4,858,630	Banerjee et al.			
	65.	09/05/1989	4,863,720	Burghart et al.			
	66.	11/21/1989	4,881,556	Clearman et al.			
	67.	12/26/1989	4,889,850	Thornfeldt et al.			
	68.	01/23/1990	4,895,719	Radhakrishnan et al.			
	69.	03/06/1990	4,906,417	Gentry			
	70.	04/17/1990	4,917,119	Potter et al.			
	71.	04/17/1990	4,917,120	Hill			
	72.	04/17/1990	4,917,830	Ortiz et al.			
	73.	05/08/1990	4,922,901	Brooks et al.			
	74.	05/29/1990	4,928,714	Shannon			
	75.	07/17/1990	4,941,483	Ridings et al.			
	76.	08/14/1990	4,947,874	Brooks et al.			
	77.	08/14/1990	4,947,875	Brooks et al.			
	78.	08/21/1990	4,950,664	Goldberg			
	79.	09/11/1990	4,955,945	Weick			
	80.	09/25/1990	4,959,380	Wilson			
	81.	10/16/1990	4,963,289	Ortiz et al.			
	82.	02/05/1991	4,989,619	Clearman et al.			
	83.	05/21/1991	5,016,425	Weick			
	84.	05/28/1991	5,019,122	Clearman et al.			
	85.	06/04/1991	5,020,548	Farrier et al.			
	86.	07/02/1991	5,027,836	Shannon et al.			
	87.	07/23/1991	5,033,483	Clearman et al.			
	88.	08/27/1991	5,042,509	Banerjee et al.			

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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 509032001500

Application Number 10/057,197

Applicant

Martin J. WENSLEY et al.

Filing Date October 26, 2001

Group Art Unit 3761

	89.	10/29/1991	5,060,666	Clearman et al.			
	90.	10/29/1991	5,060,667	Strubel			
	91.	10/29/1991	5,060,671	Counts et al.			
	92.	11/26/1991	5,067,499	Banerjee et al.			
	93.	12/17/1991	5,072,726	Mazloomdoost et al.			
	94.	12/31/1991	5,076,292	Sensabaugh, Jr. et al.			
	95.	03/31/1992	5,099,861	Clearman et al.			
	96.	04/21/1992	5,105,831	Banerjee et al.			
	97.	06/02/1992	5,118,494	Schultz et al.			
	98.	06/09/1992	5,119,834	Shannon et al.			
	99.	07/28/1992	5,133,368	Neumann et al.			
	100.	08/11/1992	5,137,034	Perfetti et al.			
	101.	10/20/1992	5,156,170	Clearman et al.			
	102.	11/17/1992	5,164,740	Ivri			
	103.	11/24/1992	5,166,202	Schweizer			
	104.	12/01/1992	5,167,242	Turner et al.			
	105.	01/05/1993	5,177,071	Freidinger et al.			
	106.	03/09/1993	5,192,548	Velasquez et al.			
	107.	07/06/1993	5,224,498	Deevi et al.			
	108.	07/20/1993	5,229,120	DeVincent			
	109.	07/20/1993	5,229,382	Chakrabarti et al.			
	110.	10/05/1993	5,249,586	Morgan et al.			
	111.	11/23/1993	5,264,433	Sato et al.			
	112.	03/08/1994	5,292,499	Evans et al.			
	113.	07/26/1994	5,333,106	Lanpher et al.			
	114.	09/13/1994	5,345,951	Serrano et al.			
	115.	02/14/1995	5,388,574	Ingebretsen			
	116.	02/21/1995	5,391,081	Lampotang et al.			
	117.	03/21/1995	5,399,574	Robertson et al.			
	118.	03/28/1995	5,400,808	Turner et al.			
	119.	07/25/1995	5,436,230	Soudant, et al.			

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(Use several sheets if necessary)

Docket Number 509032001500

Application Number 10/057,197

Applicant

Martin J. WENSLEY et al.

Filing Date October 26, 2001

Group Art Unit 3761

	120.	09/19/1995	5,451,408	Mezei et al.			
	121.	10/03/1995	5,455,043	Fischel-Ghodsian			
	122.	10/10/1995	5,456,247	Shilling et al.			
	123.	10/10/1995	5,456,677	Spector			
	124.	10/10/1995	5,457,100	Daniel (& File history attached)			
	125.	10/10/1995	5,457,101	Greenwood et al.			
	126.	10/17/1995	5,459,137	Andrasi et al.			
	127.	10/31/1995	5,462,740	Evenstad et al.			
	128.	03/26/1996	5,501,236	Hill et al.			
	129.	04/16/1996	5,507,277	Rubsamen et al.			
	130.	04/30/1996	5,511,726	Greenspan et al.			
	131.	05/21/1996	5,519,019	Andrasi et al.			
	132.	06/11/1996	5,525,329	Snyder, et al.			
	133.	08/06/1996	5,543,434	Weg			
	134.	08/13/1996	5,544,646	Lloyd et al.			
	135.	12/17/1996	5,584,701	Lampotang et al.			
	136.	12/24/1996	5,586,550	Ivri et al.			
	137.	02/25/1997	5,605,897	Beasley, Jr. et al.			
	138.	03/04/1997	5,607,691	Hale et al.			
	139.	04/22/1997	5,622,944	Hale et al.			
	140.	05/06/1997	5,627,178	Chakrabarti et al.			
	141.	08/12/1997	5,655,523	Hodson et al.			
	142.	08/12/1997	5,656,255	Jones			
	143.	08/26/1997	5,660,166	Lloyd et al.			
	144.	09/16/1997	5,666,977	Higgins et al.			
	145.	11/25/1997	5,690,809	Subramaniam et al.			
	146.	12/09/1997	5,694,919	Rubsamen et al.			
	147.	03/10/1998	5,724,957	Rubsamen et al.			
	148.	03/10/1998	5,725,756	Subramaniam et al.			
	149.	03/31/1998	5,733,572	Unger et al.			
	150.	04/07/1998	5,735,263	Rubsamen et al.			

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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 509032001500

Application Number 10/057,197

Applicant

Martin J. WENSLEY et al.

Filing Date October 26, 2001

Group Art Unit 3761

	151.	04/28/1998	5,743,250	Gonda et al.			
	152.	04/28/1998	5,743,251	Howell et al.			
	153.	04/28/1998	5,744,469	Tran			
	154.	05/05/1998	5,747,001	Wiedmann et al.			
	155.	05/26/1998	5,756,449	Andersen et al.			
	156.	06/02/1998	5,758,637	Ivri et al.			
	157.	06/23/1998	5,770,222	Unger et al.			
	158.	06/30/1998	5,771,882	Psaros et al.			
	159.	07/07/1998	5,776,928	Beasley, Jr.			
	160.	02/17/1998	5,718,222	Lloyd et al.			
	161.	10/06/1998	5,817,656	Beasley, Jr. et al.			
	162.	10/13/1998	5,819,756	Mielordt			
	163.	10/20/1998	5,823,178	Lloyd et al.			
	164.	11/10/1998	5,833,891	Subramaniam et al.			
	165.	11/24/1998	5,840,246	Hammons et al.			
	166.	01/05/1999	5,855,564	Ruskewicz			
	167.	01/05/1999	5,855,913	Hanes et al.			
	168.	02/23/1999	5,874,064	Edwards et al.			
	169.	03/02/1999	5,875,776	Vaghefi			
	170.	03/09/1999	5,878,752	Adams et al.			
	171.	03/23/1999	5,884,620	Gonda et al.			
	172.	04/6/1999	5,890,908	Lampotang et al.			
	173.	05/25/1999	5,906,811	Hersh			
	174.	05/25/1999	5,907,075	Subramaniam et al.			
	175.	06/08/1999	5,910,301	Farr et al.			
	176.	06/29/1999	5,915,378	Lloyd et al.			
	177.	07/27/1999	5,928,520	Haumesser			
	178.	07/27/1999	5,929,093	Pang et al.			
	179.	08/10/1999	5,934,272	Lloyd et al.			
	180.	08/10/1999	5,935,604	Illum			
	181.	08/17/1999	5,938,117	Ivri			

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Martin J. WENSLEY et al.

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Group Art Unit 3761

	182.	08/17/1999	5,939,100	Albrechtsen et al.			
	183.	08/24/1999	5,941,240	Gonda et al.			
	184.	08/31/1999	5,944,012	Pera			
	185.	09/28/1999	5,957,124	Lloyd et al.			
	186.	10/05/1999	5,960,792	Lloyd et al.			
	187.	10/26/1999	5,970,973	Gonda et al.			
	188.	10/26/1999	5,971,951	Ruskewicz			
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	195.	01/18/2000	6,014,970	Ivri et al.			
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	197.	04/11/2000	6,048,550	Chan et al.			
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	211.	10/17/2000	6,133,327	Kimura et al.			
	212.	10/24/2000	6,135,369	Prendergast et al.			

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(Use several sheets if necessary)

Docket Number 509032001500

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Applicant

Martin J. WENSLEY et al.

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	225.	02/23/1994	CN 1082365	China			Abstract only
	226.	03/18/1998	CN 1176075A	China			Abstract
	227.	07/13/1988	EP 0 274 431	Europe			
	228.	08/10/1988	EP 0 277 519	Europe			
	229.	03/14/1990	EP 0 358 114	Europe			
	230.	07/01/1992	EP 0 492 485	Europe			
	231.	01/29/1938	GB 502 761	Great Britain			
	232.	05/18/1983	GB 2 108 390	Great Britain			
	233.	01/25/1984	GB 2 122 903	Great Britain			
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	235.	06/13/1991	WO 91/07947	WIPO			
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	237.	11/12/1992	WO 92/19303	WIPO			

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